

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Taylor Smith

Docket No. 5:16-CR-159-6FL

Petition for Action on Probation

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Taylor Smith, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession with Intent to Distribute a Quantity of Oxycodone and Hydrocodone, in violation of 21 U.S.C. § 846; 21 U.S.C. § 841(a)(1); and 21 U.S.C. § 841(b)(1)(C), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 9, 2017, to 36 months of probation under the conditions adopted by the court.

On May 17, 2017, the court was notified of the defendant testing positive for the use of morphine. She was continued under supervision and referred to substance abuse treatment.

On June 12, 2017, the court was notified of the defendant testing positive for the use of cocaine. The probation office invoked the Second Use – Five Days component of the DROPS Program, and the defendant served five days imprisonment.

On August 13, 2017, the court was notified of the defendant testing positive for the use of cocaine. The probation office invoked the Third Use – Ten Days component of the DROPS Program, and the defendant served ten days imprisonment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 2, 2018, Smith submitted a urinalysis test which confirmed positive for the presence of cocaine and morphine. Smith has been directed to engage in substance abuse treatment at First Step Services, Raleigh, North Carolina, in both group and individual counseling sessions. Furthermore, we will explore in-patient treatment options in light of the severity of substance use. To address this continued non-compliant behavior, and in an effort to deter future illegal drug use, we are recommending that the defendant complete 60 days of curfew via electronic monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8682
Executed On: April 12, 2018

ORDER OF THE COURT

Considered and ordered this 16th day of April, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge